

Article 9: QUALCOMM Stadium

("San Diego Jack Murphy Stadium"

amended with title change 7-9-1984 by O-16234 N.S.)

(Retitled to "QUALCOMM Stadium" on 11-18-1997 by O-18440 N.S.)

Division 1: Stadium and Parking Facility

(Division added 7-9-1968 by O-9838 N.S.)

(Editors note: Title added 8-9-1988.)

§59.0101 Purpose and Intent

This Division of Article 9 shall contain ordinances regarding the use of QUALCOMM Stadium and QUALCOMM Stadium Parking Facility which are enacted for the purpose and intent of protecting the public health, welfare and safety of the spectators and participants at events held therein.

(Amended 11-18-1997 by O-18440 N.S.)

§59.0102 Definitions

Whenever in this Division the words or phrases in this section defined are used, they shall have the respective meanings assigned to them as follows:

- (a) "QUALCOMM Stadium" shall mean that certain multipurpose sports structure located in Mission Valley in the City of San Diego, the peripheral boundaries of which are the gates for access and egress and the walls surrounding the outer perimeter buildings; also referred to as "Stadium."
- (b) "QUALCOMM Stadium Parking Facility" shall mean all parking areas, entrances and exits continuous from street grade and all passenger waiting areas at the QUALCOMM Stadium; also referred to as "Stadium Parking Facility."
- (c) "Parking Space" shall mean any area marked with lines designating a parking space at the QUALCOMM Stadium Parking Facility except those parking spaces designated and numbered as "Tailgate Parking Spaces." Parking spaces may be marked for small cars or for standard size cars. Parking space for vehicles exceeding twenty feet (20') in length shall mean two spaces marked for standard size cars.

- (d) "Tailgate Parking Spaces" shall mean reserved and numbered spaces measuring 40 feet in length for parking vehicles located in a designated tailgate parking area.
- (e) "Person" shall mean and include any person, association, partnership, firm or corporation.
- (f) "Vehicle" shall mean any device, in, upon, or by which a person or property is or may be propelled, moved or drawn upon a highway and shall include, but not be limited to, the following: automobile, truck, bus, motorcycle, motor-driven cycle, cart, and mini-cycle or bicycle when operated under engine power.
- (g) "Stadium Manager" shall refer to the administrative officer assigned by the City Manager as responsible for management of QUALCOMM Stadium and Stadium Parking facility.
- (h) "Stadium security personnel" shall refer to all employees, contractors, employees of contractors, or other agents of QUALCOMM Stadium charged with responsibility for the orderly conduct of individuals attending Stadium events.
- (i) "Event" in Section 59.0103 shall refer to any sporting, athletic, musical, or other type of scheduled activity, conducted under contract with the City, occurring within QUALCOMM Stadium. "Event" in Section 59.0104 shall also refer to any scheduled contractual activity occurring within QUALCOMM Stadium Parking Facility, including, but not limited to: swap meets, flea markets, and other such activities where permits are authorized for non-Stadium functions.
- (j) "Conclusion of an event" shall refer to the expiration of the allotted playing time or termination of play in relation to any particular sporting event. In relation to non-sporting events, the event shall be deemed concluded at the time designated by the permit granted for the use of the Stadium or Stadium Parking Facility, or the end of any particular band performance, stage show, program, or concert, whichever is earlier.
- (k) "Area not open to the general public," shall include, but shall not be limited to the playing field, including the dirt track surrounding the turf, dugouts, bull pen areas, team locker rooms, office and administrative areas, roofs, signs, architectural supports and superstructure, fencing, walls, lighting supports and standards, trees, ladders, stages, back stage areas, and any elevators, stairways,

tunnels or other areas which are either plainly marked as not being open to the general public or posted with police, security or other Stadium personnel who state that these areas are closed to the general public when such police, security, or other Stadium personnel are either in uniform or identify themselves as acting in such capacity.

- (l) "Overflow Capacity Event" shall mean any event in the QUALCOMM Stadium in which attendance is anticipated to be in excess of sixty thousand (60,000) people and in which a use or occupancy permit has been issued for the use of the Stadium facility only, and not for the use of both the Stadium and the Stadium Parking Facility.
- (m) "Outside Seating Area" includes all seats in the Stadium for which a ticket was issued and all adjacent aisle ways. It does not include enclosed areas adjacent to skybox ticketed seats.
- (n) "Press Level Area" includes the inside area of the Stadium reserved for use by a Stadium tenant or lessee which is on the Stadium Level 2A from Sections 26 through 38.

(Amended 12-6-1999 by O-18729 N.S.)

§59.0103 Activities Prohibited within QUALCOMM Stadium

- (a) No person shall intentionally throw, discharge, launch or spill any solid object (including footballs, baseballs, beach balls, frisbees or other such devices) or liquid substance or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne.
- (b) No person shall explode, set-off, discharge or otherwise release or cause to be released any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant or disgusting to the eyes or sense of smell.
- (c) No person in the Stadium shall leave the area or areas set aside for spectators and enter any area of the Stadium not open to the general public, including, but not limited to, the grounds, playing field, stage, or any other area set apart for the participants, performers, officials, attendants or service personnel at any time before, during, or after a Stadium event.
- (d) No person shall bring into or possess within QUALCOMM Stadium any can, bottle, thermos, vacuum bottle, canteen or other similar container, unless expressly authorized by the Stadium Manager.

- (e) No person shall gain or attempt to gain admittance to QUALCOMM Stadium except through an access gate open for public access and by presenting a valid event ticket or otherwise paying the posted charge required for admission or to enter or attempt to enter QUALCOMM Stadium during non-event days or hours without permission.
- (f) No person of either sex shall enter the clearly marked and designated restroom facilities of the opposite sex at QUALCOMM Stadium.
- (g) Any person who behaves in so noisy, boisterous or rowdy a manner as to disturb spectators or participants at any Stadium event or violates any local ordinance or state law shall be subject to ejection from the Stadium by San Diego Police Department officers or Stadium security personnel. No person shall refuse to obey an ejection order made pursuant to enforcement of this subsection, or to re-enter the Stadium during that event after such ejection by purchase of another ticket or by any other means.
- (h) No person shall bring into or possess within QUALCOMM Stadium any noise making device including but not necessarily limited to air horns, powered megaphones, bugles, drums, tambourines or other musical instruments unless expressly authorized by the Stadium Manager.
- (i) No person shall lead, conduct or otherwise bring or allow to remain in QUALCOMM Stadium any animal, bird, fish or reptile, except trained guide dogs or dogs for the disabled certified by the State of California in actual use.
- (j) No person shall remain within QUALCOMM Stadium more than one hour after the conclusion of the event for which admitted. It shall be unlawful for any person to refuse to obey the lawful order of a police officer or Stadium security personnel made pursuant to enforcement of this subsection.
- (k) No person shall bring, or cause to be brought, for the purposes of sale or barter, or have for sale, or sell or exchange, or offer for sale or exchange any food, drink, service, goods, wares, ticket or merchandise within any portion of QUALCOMM Stadium including the perimeter sidewalk of the Stadium without first having obtained a City business license and permit from the Stadium Manager.
- (l) The above subsections (a)— (k) shall not apply to any duly authorized employee, agent or officer of the Stadium or the City of San Diego while acting in the course and scope of his/her employment, nor shall it apply to any duly authorized participant, performer, official, Stadium security or service

personnel specifically authorized to perform such an act by the Stadium Manager or the City of San Diego while acting in the scope of his/her employment or participation.

- (m) Smoking is prohibited in the Outside Seating Area and the Press Level Area of the QUALCOMM Stadium.

(Retitled to "Activities Prohibited within QUALCOMM Stadium" and amended 11-18-1997 by O-18440 N.S.)

§59.0104 Activities Prohibited within the QUALCOMM Stadium Parking Facility

- (a) No person shall intentionally throw, discharge, launch or spill any solid object (including footballs, baseballs, frisbees and other such devices) or liquid substance or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne within the QUALCOMM Stadium Parking Facility.
- (b) No person shall explode, set-off, discharge or otherwise release or cause to be released any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant or disgusting to the eyes or sense of smell within the QUALCOMM Stadium Parking Facility.
- (c)
 - (1) No person shall participate in any activity, including, but not limited to vehicle driver training, running, jogging, volleyball, baseball, soccer, football, roller skating, bicycle riding, skate boarding or frisbee within the QUALCOMM Stadium Parking Facility unless expressly authorized by the Stadium Manager.
 - (2) The finger walkways or promenades in the inner circle of QUALCOMM Stadium Parking Facility shall be restricted to pedestrian traffic. No tables, barbecues, chairs, umbrellas or other objects shall be permitted on such finger walkways or promenades without the written permission of the Stadium Manager.
- (d) No person shall lead, conduct or otherwise bring or allow to remain in the QUALCOMM Stadium Parking Facility any animal, bird, fish or reptile except trained guide dogs or dogs for the disabled certified by the State of California in actual use.
- (e) No person shall bring or attempt to bring a vehicle into QUALCOMM Stadium Parking Facility without paying the prescribed charge required for admission. On the day of, during, and for eight (8) hours after any event duly

designated by the City Manager as an "Overflow Capacity Event," no person shall enter or attempt to enter QUALCOMM Stadium Parking Facility without presenting a valid ticket or pass to that event, or a pass indicating that the person is an on-duty employee working the event, or a control number for that event issued by the San Diego Police Department pursuant to the QUALCOMM Stadium policy governing distribution of non-commercial literature in the Stadium Parking Facility during such events; provided, however, that notices of such prohibition shall be duly posted at least twenty-four (24) hours prior to the event and remain posted throughout the event and the eight (8) hour period thereafter.

- (f) For purposes of the California Vehicle Code, all surfaced areas of the facility, on which vehicles normally travel to enter and leave parking spaces and tailgate parking spaces, shall be considered to be "highways" as defined in Vehicle Code Section 360.
- (g)
 - (1) No person shall park or stand any vehicle in more than one parking space or, where applicable, in more than one Tailgate Parking Space. If the vehicle exceeds twenty feet (20') in length, the driver thereof shall only park said vehicle in parking spaces for standard size vehicles and pay for the additional space and display evidence of such payment unless parked in a Tailgate Parking Space. Turn areas in the inner ring of the Stadium Parking Lot shall remain clear of vehicles and objects to maximize turn area use for traffic circulation.
 - (2) No person shall utilize in any manner more than the parking space or Tailgate Parking Space that his vehicle is entitled to occupy under the provisions of this Division. Turn areas in the inner ring of the Stadium Parking Lot shall remain clear of vehicles and objects to maximize turn area use for traffic circulation.
 - (3) No person shall interfere in any manner with the use of an adjacent parking space.
- (h) Vehicles parked in violation of subsection (g) may be towed at the owner's expense to a place designated by the City Manager.
- (i) No person shall remain within QUALCOMM Stadium Parking Facility more than two hours after the conclusion of any event occurring within the Stadium or in the Stadium Parking Facility. It shall be unlawful for any person to refuse to obey the lawful order of a police officer or Stadium security personnel made pursuant to enforcement of this subsection.

- (j) No person shall bring, or cause to be brought, for the purposes of sale or barter, or have for sale, or sell or exchange, or offer for sale or exchange any food, drink, service, goods, wares, ticket or merchandise within any portion of QUALCOMM Stadium Parking Facility including the perimeter sidewalk of the Stadium without first having obtained a City business license and permit from the Stadium Manager.
- (k) Notwithstanding the provisions of paragraph (j) above, no person shall bring, or cause to be brought a beer keg for purposes other than sale or barter, or have for sale, or sell or exchange, or offer for sale or exchange, without first obtaining proof of liability insurance in an amount and form satisfactory to the City Manager and a keg permit from the Stadium Manager.
- (l) The above subsections (a) - (k) shall not apply to any duly authorized employee, agent or officer of the Stadium or the City of San Diego while acting in the course and scope of his/her employment, nor shall it apply to any duly authorized participant, performer, official, Stadium security or service personnel specifically authorized to perform such an act by the Stadium Manager or the City of San Diego while acting in the scope of his/her employment or participation.

(Amended 12-6-1999 by O-18729 N.S.)

